



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II  
26 FEDERAL PLAZA  
NEW YORK, NEW YORK 10278

SDMS Document



67986

February 13, 1989

William Warren, Esq.  
Cohen, Shapiro, Polisher et al  
Princeton Pike Corporate Center  
997 Lenox Drive - Bldg. No. 3  
Lawrenceville, New Jersey 08648

Re: Scientific Chemical Processing ("SCP") - Carlstadt, N.J.  
EPA Administrative Order No. II-CERCLA-50114 ("the Order")  
Request for Identification of Non-Participants

Dear Mr. Warren:

By letter dated January 10, 1989 (copy attached), I requested that you provide EPA with the names of those Respondents to the above Order who were and those who were not participating in performing the work required by the Order as of January 10, 1989. I requested that this information be transmitted to EPA by January 30, 1989. We have not received a response to this request to date.

By this letter, I reiterate that request.

Thank you for your attention to this matter.

Sincerely,

*James P. Rooney*

James P. Rooney  
Office of Regional Counsel

Attachment

003958

January 10, 1989

William Warren, Esq.  
Cohen, Shapiro, Polisher et al  
Princeton Pike Corporate Center  
997 Lenox Drive - Bldg. No. 3  
Lawrenceville, New Jersey 08648

Re: Scientific Chemical Processing (SCP) Site - Carlstadt, N.J.  
Administrative Order Index No. II CERCLA-50114 ("the Order")

Dear Mr. Warren:

As you are aware, the aforementioned Order was entered into by the U.S. Environmental Protection Agency - Region II on September 30, 1985. One hundred and eight (108) entities ("the Respondents") whom EPA had identified as potentially responsible parties for the Site also executed this Order and thereby agreed to individually and collectively perform all of the activities which were required by that Order.

During a meeting with your contractor and other technical and legal personnel on December 2, 1988, representatives of the Respondents informed EPA officials that only approximately 60 of the original 108 signatories to the Order were, in fact, participating in the activities required by the Order.

When EPA entered this Order, it expected that all of the Respondents who had signed it would participate in and fund the work required by the Order. Since this apparently has not occurred, I, therefore, formally request that you immediately provide the following information to EPA in writing:

1. the name of each and every Respondent to the above Order who has not provided any funding to the Steering Committee for the performance of the work completed under this Order to date; and
2. the name of each and every Respondent which the Steering Committee believes has, in fact, fully funded the work performed under the Order to date at the level of funding which was determined by the Committee as being appropriate for each such Respondent.

I request that the above determination as to each Respondent be based upon the funding (or lack thereof) received from each such Respondent as of the date of this letter.

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I would appreciate any additional information you might wish to provide the Agency concerning any Respondents who are not fully participating or assisting in the performance of the work required under this Order.

Please provide the information requested in this letter to me on or before January 30, 1984.

Thank you for your attention to this matter.

Sincerely,

James P. Rooney  
Office of Regional Counsel

cc: Thomas Armstrong (General Electric Co.)  
Gill Weil (Union Carbide)

bcc: Raymond Basso (EPA)  
Janet Feldstein (EPA)

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